

DENTAL QUALITY ASSURANCE COMMISSION

THURSDAY, December 5, 2002

Commission Business Minutes

Wyndham Garden Hotel

Seattle, WA

(Subject to Commission Approval)

Members Present:

Ernest Barrett, DDS, Chair
George McIntyre, DDS
John Davis, DDS, JD
Laurie Fan, DDS
Theresa Cheng, DDS
Abdul Alkezweeny, Ph.D, Public Member
Pramod Sinha, DDS

Robin Reinke, DDS, Vice-Chair
Mark Paxton, DDS
Marshall Titus, DDS
Bernard Nelson, Public Member
Russell B. Timms, DDS
Lorin Peterson, DDS

Members Absent:

Mark Koday, DDS

Staff Present:

Lisa Anderson, Health Services Consultant
Lisa Gast, Administrative Assistant
Kim Dinsmore, Program Representative
Mark Brevard, AAG

Gail Zimmerman, Executive Director
Melissa Hartley, Staff Attorney
Elyette Weinstein, Staff Attorney

Others Present:

Melissa Johnson, Washington State Dental Hygienists Association
Todd Herzog, ARNP
Lynn Hanks, MD, FASM, Washington Physician's Health Program

In accordance with the Open Public Meetings Act, notices were mailed to individuals requesting notification of the Commission meetings.

OPEN SESSION

1. CALL TO ORDER- *Ernest Barrett, DDS, Chair*

The December 5, 2002 business meeting of the Dental Quality Assurance Commission was called to order by Ernest Barrett, DDS, Chair, at 7:00 p.m. at the Wyndham Garden Hotel, Sea-Tac, Washington.

1.1 Approval of Agenda

The addition was approved with the following additions

- 2.3 Additional information provided by Mark Paxton, DDS re: office based anesthesia
- 2.10 Request from the University of Washington School of Dentistry for a representative from the DQAC to speak to the students in the Ethics in Dentistry course, regarding the WAC (Washington Administrative Code.)
- 2.11 Department of Health HPQA Board, Commission, Committee Conference Survey
- 4.2 WREB-Memo to State Board Administrators from Linda Paul re: Annual meeting on January 11, 2003 in Phoenix, AZ
- 10.6 Washington State Department of Health SENTINEL-Vol. 05, No.11
- 10.7 Article from Spokane magazine re: Something to Smile About

1.2 Approval of the November 1, 2002 Meeting Minutes

The minutes from the November 1, 2002 meeting of the Dental Commission were approved as submitted.

2. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL- *Lisa Anderson, Health Services Consultant, Gail Zimmerman, Executive Director, Mark Brevard, AAG*

2.1 Budget Report-Interim Operating Reports

There were no budget reports to review at this time.

2.2 Legislation-2003 Department of Health Proposed Agency Request Legislation; Glossary of Legislative Terms; Guide to Reading a Legislative Measure; How a Bill Becomes a Law; The Washington State Legislature; Elected Officials and their functions; Legislative Information; West Capitol Campus Directory; article by Froma

Harrop of the Providence Journal, “Improving health care, one politician at a time”.

Staff attended legislative training and provided copies of the above listed items to the Commission members for their information and review. This was provided to aid Commission members in understanding the legislative process. The 2003 legislative session begins on January 13, 2003.

2.3 Department of Health Nursing Commission-Proposed Guidelines for Office Based Anesthesia Practice-review/discuss, request two (2) members of the DQAC to attend a joint meeting

This was provided to the Commission for their information and review. At this time it has been determined that the guidelines that are already in place for the administration of Conscious Sedation and General Anesthesia in dental practice are sufficient. Mark Paxton, DDS and George McIntyre, DDS have agreed to represent the Commission should the Nursing Commission have questions.

2.4 Health Professions Quality Assurance Board/Commission Protocols

The Commission members requested that staff work with Mark Brevard, AAG, to amend some of the language and to bring the amended document back to the January meeting for review and discussion.

2.5 Washington Physicians Health Program (WPHP)-October 2002 Statistics

Lynn Hankes, MD, FASM, Washington Physicians Health Program, gave the Commission an update and provided the members with a copy of the 2002 Semi-Annual Report.

2.6 Department of Health Strategic Plan-Update/handout information

Lisa Anderson provided a brief review of the Strategic Plan and encouraged members of the Commission to familiarize themselves with the information contained in the report. Staff will mail copies of the plan to the members of the Commission.

2.7 SSB 6020-Access to Dental Care-Final rules (adopted 9/23/02, effective 11/24/02)

This was provided to the Commission for their information and review.

2.8 CE- Erroneous information received through mass mailing-American Dental Institute Home Study offer

This was provided to the Commission for their information and review.

2.9 Discussion with Patty Latsch, Senior Health Law Judge re: Hearing scheduling.

Lisa Anderson shared information from her meeting with Judge Latsch regarding the scheduling of future DQAC hearings and additional dates that may be needed to handle the backlog. Exact dates will be forthcoming. Staff will contact Commission members once the exact dates are known.

2.10 Request from the University of Washington School of Dentistry for a representative from the DQAC to speak to the students in the Ethics in Dentistry course, regarding the WAC (Washington Administrative Code.)

Robin Reinke, DDS agreed to speak to the Ethics class on January 24, 2003. Staff will notify the School of Dentistry that Dr. Reinke has agreed to do the presentation.

2.11 Department of Health HPQA Board, Commission, Committee, and Conference Survey

This was provided to the members of the Commission for their information and review. The members of the Commission voted against a Spring conference and had no additional comments on this survey.

3. STAFF/COMMISSION MEMBER REPORTS

3.1 Subcommittee Updates/Discussions

There were no reports at this time.

4. WESTERN REGIONAL EXAM BOARD (WREB)-

4.1 WREB Update

Lorin Peterson, DDS reminded the Commission of the upcoming January 11, 2003 meeting in Phoenix, Arizona and that it is a General Membership meeting and invited any/all members to attend.

4.2 WREB-Memo to State Board Administrators from Linda Paul re: Annual meeting on January 11, 2003 in Phoenix, AZ

This was provided to the members of the Commission for their information and review.

5. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)

5.1 CRDTS Update

There was no update at this time

5.2 Examiner and Commission member reimbursement policy

This was provided to the members of the Commission for their information and review.

5.3 Revised testing site schedule for 2003

This was provided to the members of the Commission for their information and review.

5.4 2003 Examination Assignments-Revisit-need to have names to CRDTS by 12/31/02

Marshall Titus, DDS, Robin Reinke, DDS, Bruce Kinney, DDS (Pro-Tem), and Russell Timms, DDS have agreed to be examiners for the 2003 Exam year. Lorin Peterson, DDS and John Davis, DDS have agreed to serve as exchange examiners.

5.5 Steering Committee Minutes from meeting held October 5, 2002 at the Embassy Suites KCI in Kansas City, Missouri

This was provided to the members of the Commission for their information and review.

6. AMERICAN DENTAL ASSOCIATION (ADA)/ AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)/ AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), DENTAL ASSISTING NATIONAL BOARD (DANB)

6.1 ADA-Memo dated November 5, 2002 re: Nominees for Commission on Dental Accreditation Public Member

The public members currently serving on the Dental Quality Assurance Commission are not eligible to serve on this committee. This was

provided to the members of the Commission for their information and review.

6.2 Vacancies on National Board Test Construction Committees in 2004; Full-Time Practitioner Vacancies on national Board Dental Test construction Committees; Vacancies on National Board Dental Hygiene Test Construction committees in 2004

This was provided to the members of the Commission for their information and review.

7. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS

Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.

There were no policies, interpretive statements, or opinions for review at this meeting.

8. CORRESPONDENCE

8.1 Letter dated November 5, 2002 from Richard Chan to the Commission requesting the Commission's opinion about the sale of Peridex, for profit, by a dental office vs giving the patient a prescription where it could be covered under the patient's insurance.

After review and discussion, the Commission determined that there was no need to issue an opinion at this time and directed staff to thank Dr. Chan for his correspondence.

8.2 Letter dated November 7, 2002 from Rhys Spoor, DDS to the Commission requesting permission to allow dentists from outside Washington to come take live patient, hands-on continuing dental education programs from him in aesthetic dentistry. Also attached is a copy RCW 18.32.030 (4). (Dr. Spoor also provided an informational packet which includes course description and before/after photo examples. Contact DQAC staff if you wish to review the packet.)

The Commission reviewed and approved Dr. Spoor's request. Staff will notify Dr. Spoor of the Commission's decision.

8.3 Letter dated November 18, 2002 from Lisa Anderson, Health Services Consultant to Kathy Conrad, RDH-Acting Chairperson, Maxine James, RDH, and Faye Kirkendall, RDH, responding to their October 9, 2002 letter to the Commission requesting a meeting with the Dental

Commission and the Board of Pharmacy to discuss the matter of the application of chemotherapeutic agents placed subgingivally by a licensed dental hygienist.

This was provided to the members of the Commission for their information and review.

- 8.4 Letter dated November 18, 2002 from Lisa Anderson, Health Services Consultant to Sheri B. Doniger, DDS responding to her letter of September 26, 2002 to the Commission, requesting information on dental sealants and placement modalities.**

This was provided to the Commission for their information and review.

- 8.5 Letter dated November 18, 2002 from Lisa Anderson, Health Services Consultant to Frederick Judy, DDS responding to his October 2, 2002 letter to the Commission requesting the Commission to consider placing the use of complementary medicine as it applies to the practice of dentistry, in the Dental Practice Act.**

This was provided to the members of the Commission for their information and review.

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

9. CONSENT AGENDA

There were no items to review at this time.

10. NEWSLETTERS/FYI ARTICLES

- 10.1 Citizens Advocacy Center News & Views, Third Quarter, 2002, Volume 14, Number 3**
- 10.2 Tennessee Board of Dentistry Newsletter, Summer 2002, Volume 2, No. 2**
- 10.3 The Dental Forum, North Carolina State Board of Dental Examiners, Second Quarter, 2002**
- 10.4 News from the Idaho State Board of Dentistry, Fall 2002**
- 10.5 Kansas Dental Board Newsletter, July 2002**
- 10.6 Washington State Department of Health SENTINEL-Vol. 05, No.11**
- 10.7 Article from Spokane magazine re: Something to Smile About**

The above listed items were approved as submitted.

CLOSED SESSION

11. EXECUTIVE SESSION-

The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a)-(k), and only during a regular or special meeting.

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

There was no executive session held at this meeting.

12. FUTURE COMMISSION BUSINESS

There was a request to discuss commission member safety/personal contacts during investigative/adjudicative phases at the next business meeting. Staff will put this on the January agenda.

13. BUSINESS MEETING ADJOURNMENT

The business meeting adjourned at 10:00 p.m.

Respectfully Submitted By:

Lisa Gast, Administrative Assistant

Commission Approval By:

Ernest Barrett, DDS, Chair